

BEST AVAILABLE COPY**REMARKS**

Applicant has filed the present amendments and REMARKS under (37 CFR 1.114) in response to the Office Action dated June 23, 2005 and believes that the amendments and REMARKS are fully responsive to the aforementioned Office Action for reasons set forth herein below in greater detail. Reconsideration of this application is respectfully requested.

In the present Office Action, the Examiner rejected Claims 1-4, 7, 9-12 and 15 under 35 U.S.C. §103(a), as being unpatentable over Gabara (US Pat# 6,292,557) in view of Kaplan (US Pat# 5,812,651).

Additionally Claims 5, 6, 13, 14, were rejected under 35 U.S.C. §103(a), as being unpatentable over Gabara (US Pat# 6,292,557) in view of Kaplan (US Pat# 5,812,651), and further in view of Detering et al. (US Pat# 5,588,049).

The Examiner further rejected Claims 8 and 16 under 35 U.S.C. §103(a), as being unpatentable over Gabara (US Pat# 6,292,557) in view of Kaplan (US Pat# 5,812,651), and further in view of Rosen et al. (US Pat# 6,567,675).

Claims 17, 18 and 21 were rejected under 35 U.S.C. §103(a), as being unpatentable over Gabara (US Pat# 6,292,557) in view of Kaplan (US Pat# 5,812,651), and further in view of Tomiyori (US Pat# 5,305,372) or Waldman (US Pat# 5,157,719) failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph, as being in narrative form and replete with indefinite and functional or operational language.

Claims 19 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Gabara (US Pat# 6,292,557) in view of Kaplan (US Pat# 5,812,651), and further in view of Tomiyori (US Pat# 5,305,372) or Waldman (US Pat# 5,157,719) and Detering et al. (US Pat# 5,588,049).

Claim 22 was rejected under 35 U.S.C. 103(a) as being unpatentable over Gabara (US Pat# 6,292,557) in view of Kaplan (US Pat# 5,812,651), and further in view

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of Tomiyori (US Pat# 5,305,372) or Waldman (US Pat# 5,157,719) and Rosen et al. (US Pat# 6,567,675).

Responsive to the Examiner's rejection of Claims 1-4, 7, 9-12, and 15 in this Office Action, Applicant has amended Claim 1 to more clearly emphasis the patentably distinguishable features of the present invention versus Gabara (US Pat# 6,292,557) and Gabara in view of Kaplan (US Pat# 5,812,651). As amended, Claim 1, of the present invention teaches allowing a user to enter a default dialing prefix then storing the default dialing prefix in EEPROM. Unlike applicant's invention, Gabara does not claim nor does Gabara disclose allowing the user to enter a default dialing prefix. Rather Gabara discloses and claims having a local exchange number associated with a pre-stored default local area code.

Additionally, Gabara discloses that a storage device comprises "at least one pre-stored portion of a telephone number associated with a pre-stored area code". Gabara describes this feature as an "area code/exchange directory". Thus, Gabara requires that, for example, local exchange numbers and their associated area codes must be stored for functionality of the Gabara device. Unlike Gabara, Applicant's invention advantageously does not require the storage of local exchange numbers in association with a pre-stored area code. That is to say, unlike Gabara, Applicant's invention does not require either the storage of, nor the maintenance of an area code/exchange directory in order to effectively complete a user initiated call.

Moreover, Gabara discloses deactivating a local area code insertion module when a dialed telephone number comprises at least ten digits. Applicant's invention advantageously is deactivated, i.e., quiescent, not only when the dialed telephone number comprises ten or more digits, but also when the dialed number is less than a pre-determined insufficient number of digits as related to the number of digits in the default dialing prefix. (See Drawings of the present invention, sheet 8 of 14, pseudo code illustration "If NUMBER_OF_DIGITS_CAPTURED \geq (10 - NDX) + 1 then goto INHIBITDIAL") This advantageous feature of Applicant's invention allows for seamlessly uninterrupted user placement of 3 digit calls such as 411, 911, and the like. Gabara does not disclose such a method or apparatus.

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Additionally, as claimed in amended Claim 1, according to the amended specification which is supported by Figs 2a and 2b, unlike Gabara, Applicant's invention allows a user to initiate a call on the network contemporaneously with the monitoring, storing, and determining steps, so that if it is determined that the user initiated dial string is not the required number of digits, as discussed above, further processing is inhibited, thus allowing the call to complete on the network without further intervention by the device of the present invention.

To reiterate, unlike Gabara, the present invention allows for contemporaneous placement of a user initiated dial string onto the network, while as stated and claimed in Gabara, processing is done before any user initiated number is placed on the network. (see Gabara col. 4, lines 57-67).

Moreover, unlike Gabara, the present invention effects at least one hook switch flash to achieve telephone line interruption if the user initiated dial string was determined to have a required number of digits related to the number of digits of the default dialing prefix. Additionally, unlike Gabara, the present invention places the complete telephone number comprising the default dialing prefix and the user initiated dial string on the telephone network for call completion subsequently to the hook switch flash discussed above. Applicant respectfully contends that the call placement feature after line interruption is a unique feature of the present invention, which is neither disclosed by nor suggested in Gabara.

Due to the foregoing reasons, Applicant believes that Gabara does not anticipate the present invention, and thus, unless it can be shown that Gabara in view of Kaplan anticipates applicant's invention as currently amended, Applicant respectfully requests that the claims 1-4, 7, 9-12 and 15 be allowed.

With respect to Gabara in view of Kaplan, Kaplan discloses a parsing table requirement so that a wireless local loop phone system can pass on a valid dialed number to the PSTN. The parsing is done in advance of sending the user dialed number to the PSTN, (col.4, lines 55-67, col. 5, line 1), which requires all contemplated valid numbers, or pointers to such numbers, which are not 10 or 7 digits to be stored in a parsing table, otherwise such numbers can never be transmitted to the network, according to the Kaplan phone system. For example, in Kaplan, 411, directory assistance, or a pointer to

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directory assistance, must be stored in a parsing table before the Kaplan device will recognize and pass the digits through to the telephone network. Applicant respectfully submits that the parsing algorithm in the present invention does not require, nor does it rely on a parsing table of specific pre-determined numbers as is the case in Kaplan.

Rather, in the present invention, as stated in amended independent Claims 1, 9, and 17, a subscriber is allowed to initiate a dial string on the telephone network, but the parsing of a default dialing prefix together with the subscriber initiated dial string occurs only if the subscriber initiated dial string was determined to have the required number of incomplete digits related to the number of digits in the default dialing prefix, thus there exists no need to pre-store in a parsing table pointers to numbers such as 411, 911, and the like. That is to say, according to Applicant's invention, such numbers are automatically passed through the telephone network since further processing is inhibited due to the fact that the dial string was determined to be unequal to the required number of incomplete digits for further processing. Thus, combining Gabara in view of Kaplan discloses a dialing system with the burdensome requirements of (1) the necessity of processing and maintaining a database associating an area code with a local exchange number and (2) the necessity of maintaining and processing a parsing table populated with exception numbers, or pointers to exception numbers such as 411, 911, and the like, before they can be transmitted to the telephone network. Unlike the combination, the present invention advantageously avoids the necessity of an associative database, and the necessity of a parsing table populated with exception numbers or pointers to the exception numbers, because the present invention, as stated in Claim 1, includes the step of "allowing the subscriber to initiate a dial string on the telephone network" while the monitoring, storing and determining occurs "contemporaneously with the allowing the subscriber to initiate the dial string on the telephone network".

Due to the foregoing reasons, Applicant respectfully submits that Gabara in view of Kaplan does not render the present invention obvious. Therefore Applicant respectfully requests that the Examiner withdraw the claim rejection of claims 1-4, 7, 9-12 and 15 under 35 USC § 103, since independent Claim 1 has been amended as discussed above, and previously presented Claims 3 and 7 as well as amended Claim 4 are dependent on Claim 1. Moreover, independent Claim 9 has been amended to be

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consistent with independent Claim 1 as to its scope, while previously presented Claims 10- 12 and 15 are dependent on Claim 9. Additionally independent Claim 17 has been amended to be consistent with independent Claim 1 as to its scope, while previously presented Claims 18-21 are dependent on Claim 17. Moreover, Claim 22 has been canceled.

Regarding the Examiner's statement that it would have been obvious to one of ordinary skill in the art at the time of applicants invention to incorporate the teaching of Kaplan into that of Gabara making it possible to avoid tying up network resources with incomplete dialed telephone numbers, Applicant respectfully submits that the combination of Kaplan into Gabara does not anticipate Applicant's invention because unlike the combination, Applicant's invention advantageously allows dialed numbers to be placed on the network while processing the numbers to determine if they are incomplete, thus Applicant's invention allows numbers such as 411, 911, and the like to be completed in a much more fool-proof and expeditious manner than the Gabara Kaplan combination would.

Regarding Claims 5, 6, 13 and 14 as being rejected under 35 U.S.C. §103(a), due to the aforementioned reason stated above, Applicant respectfully contends that Detering et al. (5,588,049) incorporated into the Gabara-Kaplan combination does not anticipate the present invention. Moreover, Detering requires a user to place a special character, i.e., "\$" in a dial string in order to place the call block code into the modified dial string. Applicant's invention does not require any special character to be inserted in the dial string because the instruction to insert the call block code is provided by a flag stored in EEPROM in the present invention.

Regarding the Examiner's rejection of Claims 8 and 16 under 35 U.S.C. §103(a). Although Claims 8 and 16 have been canceled in this amendment, effecting a flash hook is claimed in independent claims such as Claim 1 et al. Applicant respectfully contends that Rosen et al (US Pat# 6,567,675) incorporated in Gabara and Kaplan does not anticipates the present invention.

In fact if Rosen were incorporated in Gabara and Kaplan, exception numbers such as 411, 911 and the like would never be placed on the network for call completion

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because, under Rosen, the processing remains in a loop until at least 7 digits have been dialed (see Rosen, Fig. 5). Applicant's invention advantageously avoids the problem introduced by Rosen, because Applicant's invention allows numbers to reach the network contemporaneously with checking for a required incomplete number of digits in a user initiated dial string (see Claim 1 of the present invention).

Thus, unlike the references, including Rosen, cited by the Examiner, Applicant's invention determines if the required number of incomplete digits is present, then completes parsing and interrupts the line with a flash hook before placing the completed telephone number onto the network for call completion. Therefore Applicant respectfully contends that the present invention remains non-obvious with respect to the Gabara-Kaplan-Rosen combination.

Regarding the Examiner's rejection of Claims 17, 18 and 21 under 35 U.S.C. §103(a) as being unpatentable over Gabara in view of Kaplan in further view of Tomiyori (US Pat# 5,305,372) or Waldman (US Pat# 5,157,719). Applicant respectfully submits that independent Claim 17 as currently amended remains non-obvious with respect to the cited combination due to the fact that Waldman being adaptable to cellular phone dialing which requires a send key to be depressed before completing a call, is not particularly suited for dialing numbers on the PSTN, whereas Applicant's invention is advantageously suited for dialing numbers on the PSTN without any additional special key presses such as "send" "xmit", and the like. Moreover, Waldman, is deficient in the same manner as Rosen in that the Waldman device remains in a loop checking for at least 7 digits dialed before allowing any number to be placed on the network.

Unlike Waldman, Applicant's invention advantageously allows a subscriber, i.e., user to place any valid number on the network while inhibiting further processing until a next call when the number has been determined to be unequal to the required number of incomplete digits. (see Claim 17 of the present invention). Since Claims 18 and 21 are dependent upon Claim 17, Applicant respectfully requests that they, as well as Claim 18 be deemed allowable.

Due to the foregoing discussion, Applicant respectfully submits that all claims presented in this amendment have overcome the 35 U.S.C. §103(a) rejections of the Final Office Action date June 23, 2005.

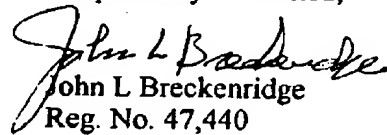
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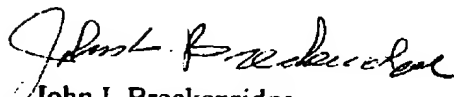
Furthermore, Applicant contends that no new matter has been added and that all Claims presented are fully supported in the specification.

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In view of the foregoing, Applicant prays that the Examiner finds this application to be in condition for allowance and Applicant henceforth respectfully solicits such allowance. If the Examiner believes a telephone conference might expedite the prosecution of this case, Applicant respectfully requests the Examiner to call the undersigned, Applicant at: (516) 455-3648.

Respectfully submitted,


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